

REMARKS

Interview

Applicants thank the Examiner for the helpful interview in an effort to advance prosecution of the present application. During the interview, prior art rejections and section 112 rejections were discussed. A computer generated document was submitted, which was indicated to be placed in the record, that illustrates the structure of the compounds of US '359, over which prior art rejections were made.

Rejections Under 35 USC 112, first paragraph

Applicants respectfully disagree with the rejections, but to advance prosecution applicants cancelled without prejudice or disclaimer the claims reciting "isotope," "prodrug," "solvate," and/or "polymorph."

Claims 17-20, 27 and 28 were rejected as allegedly not being enabled for reciting a large list of various diseases. See Office Action page 13, first paragraph. These claims only recite a small fraction of the diseases (due to previous amendments) that are allegedly not enabled. The claimed diseases, which are cancer and in narrower claims a handful of more specific cancers, are enabled by the specification. The specification, as pointed out in the last reply, teaches the activity of the compounds and the nexus between such activity and the claimed treatments. Thus, for the reasons argued previously, the claims, especially since they are directed to a closely related group of diseases, are enabled.

Reconsideration is requested.

Rejections Under 35 USC 102

Some of the claims rejected as allegedly anticipated have been cancelled, and dependent claims thereof have been made dependent on non-rejected claims in the previous reply. Thus, these rejections are moot as a result of the amendments.

Rejections Under 35 USC 103

US '359, over which the rejections are made does not render the claimed invention obvious.

The reference names hundreds of compounds. The computer generated document illustrating the structure of the compounds submitted during the interview will be referenced.

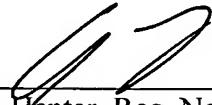
The previously closest compound of the reference to the claimed compounds was compound 901. This compound in the corresponding position to applicant's groups "A" or "B," which are the substituents on the phenyl ring of the compounds of claim 1, has a -COOH group. Applicants' closest corresponding "A" or "B" group was a -COOR⁵ group, with R⁵ being among other things, an alkyl group. The group -COOR⁵ has been deleted from the definitions of "A" and "B."

US '359, among the hundreds of disclosed compounds, has compounds which differ from the claimed compounds at least in that they contain, e.g., in the R² position a -CH₂-CH₂-NHAc group (compounds 326 and 374), in the R¹ position a -CF₃ group (compounds 147 and 728), and in the "A" or "B" group a -Cl group (compounds 506, 507, 511, 530, etc.). Nothing in '359 suggests modifying these or any other compounds in the way necessary to arrive at the compounds of the claims. Thus, the compounds of the present claims are not taught by the disclosure of the reference.

Reconsideration is respectfully requested.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,



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